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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/853,033      | 05/11/2001  | Pierre Chambon       | 065691-0222         | 5081             |

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FOLEY AND LARDNER LLP  
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EXAMINER

QIAN, CELINE X

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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1636

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

*SUPPLEMENTAL*  
**Notice of Allowability**

Application No.

09/853,033

Examiner

Celine X. Qian Ph.D.

Applicant(s)

CHAMBON ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 69 and 74-86.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                               | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material         | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other ____.   |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The Examiner agreed the following changes Applicant's representative requested during the telephonic interview on 3/30/06.

Claim 69. A method for producing spatio-temporally-controlled site-specific somatic recombinations in a mouse, wherein one or more gene or intergenic DNA sequences of interest naturally belonging to the genome of said mouse have been recombined, comprising:

a) obtaining a transgenic mouse, wherein said transgenic mouse comprises [a transgene encoding]:

(i) a transgene encoding a Cre fusion protein comprising sequentially:

(1) a Cre recombinase protein;

a hinge region of at least 15 amino acids ;

a polypeptide comprising the ligand binding domain of the human nuclear estrogen receptor, or of a vertebrate nuclear estrogen receptor, said polypeptide exhibiting at least one mutation relative to the wild-type form of said ligand binding domains; and

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(2) has a negligible, or even zero recombinase activity in the absence of a synthetic ligand endowed with antiestrogenic activity, the recombinase activity being induced by low dose of the synthetic ligand;

(ii) one or more gene or intergenic DNA sequences of interest, naturally belonging to the mouse genome, flanked by one or more recognition sites for a Cre recombinase protein,

b) administering to said transgenic mouse a low dose of said synthetic ligand in order to induce Cre-mediated recombination; and

c) said gene or intergenic DNA sequences of interest undergo a site specific somatic recombination, as a result of the induction by said synthetic ligand, in at least 90% of the targeted cells of said mouse, whereas said gene or intergenic sequences of interest underwent recombination in less than 5% of the targeted cells of said mouse before step b).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Celine X. Qian Ph.D. whose telephone number is 571-272-0777. The examiner can normally be reached on 9:30-6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Remy Yucel Ph.D. can be reached on 571-272-0781. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Celine X Qian Ph.D.  
Examiner  
Art Unit 1636

CELINE QIAN, PH.D.  
PRIMARY EXAMINER

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.